

HARRITON & FURRER, LLP  
ATTORNEYS AND COUNSELORS AT LAW  
84 BUSINESS PARK DRIVE  
SUITE 302  
ARMONK, NEW YORK 10504

(914) 730-3400  
FAX (914) 730-3405  
www.harriton-furrer.com

KEITH S. HARRITON, P.C. (NY & CT)  
URS BRODERICK FURRER, P.C. (NY, NJ & CT)

KIMBERLY A. SANFORD (NY & CT)

LEGAL ASSISTANTS

CATHYJEAN DEMARTIN  
CAROL A. BOCCARDI

December 5, 2008

Honorable Stanley R. Chesler  
United States District Judge  
US District Court of New Jersey  
Frank Lautenberg United States Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

Re: Pinkava's Motor Company, Inc. v. ExxonMobil Oil Corporation  
2:08-CV-08-03999

Honorable Sir:

As you know, my firm represents Defendant ExxonMobil Oil Corporation in connection with the above-referenced matter.

As Your Honor is aware, on August 12, 2008, you signed a TRO and directed the parties to appear before the Court on September 3, 2008 for further consideration of Plaintiff's Application for a Preliminary Injunction. By subsequent Order, you adjourned the oral argument on Plaintiff's Motion until December 18, 2008.

Following my discussions with Plaintiff's counsel and with his consent, I would respectfully request that the December 18, 2008 continued oral argument on Plaintiff's Application be adjourned until on or after January 15, 2009 at a date convenient to the Court while the parties continue to attempt to reach a mutually agreeable settlement.

If the foregoing adjournment is acceptable to the Court, I would respectfully request the Court to So-Order this letter where indicated below. It has been agreed that ExxonMobil will serve any opposition papers on or before January 2, 2009 and Plaintiff will serve its reply papers on or before January 14, 2009.

Sincere thanks for your consideration to the foregoing. If you have any questions or comments regarding the foregoing, please do not hesitate to contact the undersigned.

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Very truly yours,

  
URS BRODERICK FURRER

UBF/nr  
cc: Craig J. Whitney, Esq.  
Paul H. Schafhauser, Esq.

**SO ORDERED:**

  
**HON. STANLEY R. CHESLER**